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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,646	01/08/2002	Heikki Tuunanen	284171 2990486US/LT/kop	9148

909 7590 04/07/2005

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EXAMINER

AGDEPPA, HECTOR A

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/038,646

Applicant(s)

TUUNANEN, HEIKKI

Examiner

Hector A. Agdeppa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/8/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1 - 21 recite the limitations "the control point" "a control point" "certain control point" "service control point."

At times, there is insufficient antecedent basis for these limitations in the claims. For example, in claim 1, the term "the control point" is used when only the term "service control point" was recited before. On the other hand, claim 3 recites the limitation "selecting in the master control point a control point" which is followed by the limitation "the selected control point." Here, an antecedent basis issue arises when considering the above terms used in claim 1 from which claim 3 depends.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 10, 18, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6,545,987 (Becher).

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Becher teaches a system and method of administering supplemental services in an advanced intelligent network (AIN), wherein the system has a plurality of service control points (SCPs) and at least one service switching point (SSP), the SSP storing triggering data. SCP address data is further included in the triggering data, so that when an intelligent network (IN) service is triggered, a query is sent from the SSP to an appropriate SCP based on that SCP address data. (Abstract, Col. 3, lines 4 – 32, Col. 3, line 58 – Col. 4, line 19, Col. 4, line 66 – Col. 5, line 50, Col. 6, line 26 – Col. 7, line 20)

Becher also teaches that the SCP address data stored in the triggering data can be amended as result of a location update of a subscriber via a home location register (HLR) or via a direct location-update procedure. (Col. 7, line 21 – Col. 9, line 55)

Note that applicant has used the terminology “changing, if necessary, the address data... into the triggering data.” As seen in applicant’s specification, both the phrase “changing... into” and the term “replace” are used to describe this claimed feature. Therefore, as discussed above, examiner has assumed that applicant’s use of the phrase “changing... into” merely refers to a change in the SCP address data stored within the triggering data / trigger which in turn is stored in an SSP so that in essence, the address change signifies a new trigger.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2 – 9, 11 – 17, 19, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,545,987 (Becher) in view of WO 97/07637 (Chambers et al.) and/or WO 98/19468 (Moharram)

As to claims 2 – 4, 11 – 13, and 19, Becher has been discussed above. See also the rejection of claim 1.

What Becher does not explicitly teach is the designation of one of the above-discussed SCPs as a master SCP, wherein the above-discussed changing / replacing of the SCP address is a response to one of the SCPs being overloaded.

However, Chambers teaches a system, which like Becher, has a plurality of SCPs 22, 36, 38, and 40 and at least one SSP 14. (Fig. 1, P. 4, lines 23 – 29 of Chambers) Chambers further teaches that SCP 22 is a primary SCP which SSP 14 always initially accesses. If it is determined that one of the secondary SCPs 36, 38, 40 are more suited to handling the IN service request, the request is re-directed to the appropriate secondary SCP. (P. 4, lines 23 – 36, P. 5, lines 6 – 9 of Chambers)

It would have been obvious for one of ordinary skill in the art at the time the invention was made to have designated one of Becher's SCPs as a master SCP inasmuch as this would merely be a designation. It is notoriously old and well known, if not standard in the AIN arts, that SSPs have a home or primary SCP. Such an SCP is analogous to a master SCP. Even as seen in Chambers, AIN systems with a plurality of SCPs can still have a primary SCP. This is because again, normally, subscribers or the SSP to which a group of subscribers belong to is assigned an SCP to normally access.

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Only when a new service is introduced that must be processed by another SCP or the location of the subscriber has changed as already discussed above is an SCP other than the primary is accessed.

Moharram as well teaches a system wherein multiple SCPs can be accessed. Whether one SCP 102-A is also designated as a primary SCP or the load on SCPs 102A and 102B are balanced, it still remains that certain subscribers belonging to SSP 108 will likely, if not inherently be assigned to either SCP, until for example, one the SCPs is overloaded. (Abstract, Fig. 6, P. 7, line 5 – P. 8, line 2, P. 9, lines 24 – 36 of Moharram)

It would have been obvious again for one of ordinary skill in the art at the time the invention was made to have combined Becher and/or Chambers and Moharram inasmuch as Moharram also teaches a multiple SCP system wherein certain requests or triggers must be addressed by an SCP other than a primary SCP. Moharram merely addresses one such circumstance for doing so – overloading.

Note as well that as discussed above in Becher, after SCP address data is amended in an SSP and associated trigger data, arguably, that SCP data remains so that any future trigger requiring the accessing of another SCP can occur without continuously determining that the primary SCP cannot handle the request first. Even if not, such is a notoriously old and well known technique for speeding up the processing time of systems, accessing databases, etc. in the AIN arts, the local number portability arts, etc.

As to claim 5, see the rejection of claim 1 and note that such a limitation merely indicates an "on-demand" version of the already discussed features. It would have been obvious for one of ordinary skill in the art at the time the invention was made inasmuch as on-demand features are extremely old and well known are merely design choices or preferences. Whether or not a service provider desires permanent or on-demand service to be given is a business decision. Telephone features, whether standard or enhanced can all be implemented temporarily or as a permanent subscribed feature. If a user does not want to pay a subscription fee or rate for a service for example, a service provider could provide the service on-demand. If however, the feature is commonly accessed, then clearly it would make more sense to have a subscription or permanent access to that feature.

As to claims 6, 14, and 21, see the rejection of claim 1 and note that Moharram teaches automatically rerouting requests from an overloaded SCP 102-A to another SCP 102-B. (P. 10, lines 25 – 36 of Moharram) Therefore, it is inherent that no response would be received from a request to the master or primary SCP. Therefore, SCP 102-A has effectively selected another control point at which the request / service is to be answered / executed.

Moreover, overloading was discussed above, but again, overloading is one of many known reasons for having redundant systems or in this case, redundant SCPs. An SCP could be out of service for example and unless a service provider finds it acceptable to be down without a backup, that service provider will have a backup SCP. If of course an SCP is down, it will not respond to a request and so it would inherently

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be at that point that another SCP is chosen. Such a method of operation would be applicable to both Moharram and Chambers et al. as discussed above.

As to claims 7, 9, 15, and 17, Moharram teaches transferring SCP status/congestion/available messages read as the claimed state data between SCPs as well as control lists which is read as the claimed transferring of functionality. (P. 10, lines 10 – 24 of Moharram)

As to claims 8 and 16, see the rejection of claim 6 and note that regarding backup SCPs or backup elements in general, it is old and well known to have redundancy. As opposed to having a plurality of redundant systems always online, it is old and well known to have the ability to bring online or take offline system elements as needed. The motivation comes from or is similar to that discussed above in that. Simply, if more resources are needed, more will be brought online or connected. If less are needed, they will be brought offline or disconnected. Again, this feature is more of a business or system planning strategy.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,363,144 (Becher et al.) teaches a method of administering supplementary services in a communications network using SSPs, SCPs, and trigger address re-routing.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 571-272-7480. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hector A. Agdeppa
Examiner
Art Unit 2642

H.A.A.
April 1, 2005

HECTOR A. AGDEPPA
PATENT EXAMINER

A handwritten signature in black ink, consisting of stylized initials and a surname, written over a horizontal line.